

December 14, 2018

To whom it may concern:

I am writing to you to demand that the South Park Stakeholders Group cease and desist from violating the Brown Act as described below and to request that, in order to avoid costly and unnecessary litigation, you respond per the Brown Act [at California Government Code §54960.2](#) with an unconditional commitment to so cease and desist.¹

1 Background

1. Business improvement districts (“BIDs”) are assessment districts which are authorized and regulated by the Property and Business Improvement District Act of 1994 (“the PBID law”). The PBID law [at Streets and Highways Code §36612](#) requires a city to contract with a non-profit corporation to administer each BID. Such a non-profit corporation is called an “owners’ association.”²
2. Having entered into [Contract C-130654](#) with the City of Los Angeles in 2017 to administer the South Park BID (“SPBID”) the South Park Stakeholders Group (“SPSG”) is the owners’ association for that BID.
3. Owners’ associations in California are made subject to the Brown Act by the PBID law [at §36612](#), which states:

... an owners’ association shall comply with the Ralph M. Brown Act ... at all times when matters within the subject matter of the district are heard, discussed, or deliberated

4. Owners’ associations are defined in the Brown Act [at §54952\(c\)\(1\)\(A\)](#) to be “legislative bodies.” The definition there states in pertinent part:

As used in this chapter, “legislative body” [includes] ... A board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that ... Is created by the elected legislative body in order to exercise authority that may lawfully be delegated by the elected governing body to a private corporation, limited liability company, or other entity.

¹ Please note that all citations to the Brown Act in this document are to the California Government Code.

² Please note that all citations to the PBID law in this document are to the California Streets and Highways Code.

2 Violations of the Brown Act

2.1 April 26, 2018

2.1.1 The facts

5. On April 26, 2018 I arrived at the SPBID's office at 1100 S. Flower Street in Los Angeles to attend a meeting of the SPSG board of directors. I was told by the security guard in the lobby that I was required to sign my name on a sign-in sheet before I would be allowed upstairs to attend the meeting.
6. I asked him a number of times if he could call up to the BID office to check if it were really true that I was required to sign in in order to attend the meeting. He would not do so.
7. Paul Keller, a member of the SPSG board of directors, also told me at this time that I was required to sign the sheet before I could attend the meeting.

2.1.2 The law

8. The Brown Act at [§54953.3](#) states:

A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

2.1.3 Conclusion

9. On April 26, 2018 the SPSG violated the Brown Act at §54953.3 by holding a meeting in a facility which required people to sign in as a condition to attendance at the meeting.

2.2 November 2, 2018

2.2.1 The facts

10. On November 2, 2018 at 8:00 a.m. PDT, SPBID executive director Ellen Riotto wrote to all members of the SPSG board of directors, stating in part:

...there is one agenda item that requires an immediate decision. As you all know, we went out to bid on our clean and safe services for next year and 2020. We received 7 proposals and conducted 5 interviews, and after a rigorous application and interview process, the Selection Committee recommends contracting with Block By Block for both services. Both their application and interview were the most South Park-specific of all proposals we received....

I was hoping to be able to provide more context as to how the Selection Committee arrived at this decision in person, but I'm happy to do so individually if you'd like to learn more. If not, please REPLY TO THIS EMAIL using the template below:

This email documents my vote FOR/AGAINST moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

11. Between November 2, 2018 at 8:09 a.m. and November 5, 2018 at 4:43 p.m. at least eleven members of the SPSG board of directors replied to this email with their votes on the question of whether to move forward with these contract negotiations. See [Exhibit 5.1](#) on page [7](#) for copies of these eleven emails.

2.2.2 The law

12. The Brown Act at [§54952.2\(b\)\(1\)](#) states:

A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

2.2.3 Conclusion

13. In November 2018 the Board of Directors of the SPSG violated the Brown Act at [§54952.2\(b\)\(1\)](#) by using a series of communications to take action on an item of business that was within its subject matter jurisdiction.

2.3 The Executive Committee

2.3.1 The facts

14. Article X, Section 1 of the Bylaws of the SPSG establish an Executive Committee (“EC”), which is granted all the power and authority of the SPSG board of directors, with a few enumerated exceptions. See [Exhibit 5.2](#) on page [19](#).
15. The EC meets from time to time. For instance, it appears that it met on August 2, 2018. Its members presently appear to be Daniel Taban, Robin Bieker, Bob Buente, and Channing Henry. See [Exhibit 5.3](#) on page [22](#).
16. It appears that meetings of the EC are not announced publicly, nor are agendas posted in public.
17. On April 30, 2018 the EC exchanged a number of emails discussing a raise for SPBID staff member Wallis Locke and ultimately voted by email to give her a raise. See [Exhibit 5.4](#) on page [24](#).

18. On or before August 9, 2018 the EC changed the SPSG's "personal time off" ("PTO") policy for employees. See [Exhibit 5.5](#) on page 32.

2.3.2 The law

19. The Brown Act at [§54952\(b\)](#) states that:

As used in this chapter, legislative body means: ...

A commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.

20. The Brown Act at [§54952.2\(b\)\(1\)](#) states:

A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

21. The Brown Act at [§54953\(a\)](#) states:

All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

22. The Brown Act at [§54954.2\(a\)](#) states:

At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.

2.3.3 Conclusions

23. The EC is a legislative body within the meaning of the Brown Act at [§54952\(b\)](#) as it is a committee which is not advisory and which was created by formal action of the Board of Directors, the formal action being the adoption of the bylaws which mandate the existence of the EC and delineate its powers.

24. The EC violates the Brown Act at §54953(a) whenever it meets in private without the public being able to attend.
25. It appears from the evidence that the EC violates this code section on a regular basis. Irrespective of that, though, the EC did violate the Brown Act at §54953(a) on August 2, 2018 by holding a meeting that the public was not permitted to attend.
26. The EC violates the Brown Act at §54954.2(a) whenever it meets without having publicly posted an agenda containing a description of each item of business to be transacted or discussed.
27. It appears from the evidence that the EC violates this code section on a regular basis. Irrespective of that, though, the EC did violate the Brown Act at §54954.2(a) on August 2, 2018 by failing to post an agenda describing the business to be transacted or discussed.
28. The EC violates the Brown Act at §54952.2(b)(1) whenever it uses a series of communications to discuss, deliberate, or act on an item of business that is within its subject matter jurisdiction.
29. It appears from the evidence that the EC violates this code section on a regular basis. Irrespective of that, though, the EC did violate the Brown Act at §54952.2(b)(1) on April 30, 2018 when it discussed, deliberated, and acted on the question of a raise for BID employee Wallis Locke.

3 The harm done

30. These violations are not just incidental, technical, nor harmless. Rather, they implicate fundamental constitutional rights that the people of California have reserved to themselves. The Brown Act [at §54950](#) states:

In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

31. By holding meetings in a facility entry to which is conditioned on signing in the SPSG deprives citizens of the fundamental constitutional right to participate anonymously in public meetings and to make anonymous public comments on the proceedings.

32. By discussing, deliberating on, and taking action on the people's business in secret via email the SPSG Board of Directors has deprived the public of the opportunity to be present when public business is discussed, to observe the actions of its decision makers, and to attempt to influence those actions via public comment or other forms of political action.
 33. By creating a committee, the EC, which meets in secret, whose meetings the public is not allowed to attend, which does not publicly post agendas describing the business it conducts, and which discusses, deliberates over, and acts on matters of great public import, the SPSG has deprived the public of their absolute right to be present during discussions of public business, to witness and understand the means by which these decisions are made, and to discuss and influence these decisions via political action in all its varied and glorious kinds.

4 Demand for relief

34. The SPSG's multiple failures to comply with the requirements of the Brown Act constitute a grave betrayal of both fundamental and consequential principles of our government. It is therefore in the best interest of all concerned that the BID not only cease and desist from such violations in the future but that they make a public commitment to ceasing and desisting.
 35. If the SPSG responds to this demand within 30 days of today's date with a letter expressing an unconditional commitment to cease and desist from all future violations of this type in substantially the form given by the Brown Act at §54960.2(c) I will consider this matter at an end. Please send this letter to me by email at [REDACTED]@[REDACTED].org and by postal mail at:

Los Angeles, CA

For the sake of efficiency please either confirm my receipt of this letter or send it in such a way that its arrival is trackable.

36. If the SPSG refuses to so respond or so responds after 30 days have passed I will instruct my attorneys to proceed to “file an action to determine the applicability of this chapter to [the above-described] past actions of the” SPSG under §54960.2 of the Brown Act. If I prevail in that action the Brown Act at §54960.5 allows for the court to award costs and reasonable attorneys’ fees to me.

Thank you for your prompt attention to this important matter,

5 Exhibits

5.1 November 2018 emails from SPSG board voting on contract negotiations

Subject: Re: 11/1 SPBID BOD - Board Packet
From: Terry Rubinroit
Date: 11/2/18, 8:09 AM
To: Ellen Riotto

This email documents my vote FOR moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

Also, a meeting at 4:00 December 6th works for me.

Terry Rubinroit

Sent from my iPad

On Nov 2, 2018, at 4:00 PM, Ellen Riotto <ellen@southpark.la> wrote:

This email documents my vote **FOR/AGAINST** moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

Subject: Re: 11/1 SPBID BOD - Board Packet

From: Terri Toennies

Date: 11/2/18, 8:21 AM

To: Ellen Riotto

CC: Robin Bieker <robin@biekerco.com>, Robert Buente <bbuente@1010dev.org>, Daniel Taban <daniel@jadeent.com>, Richard Wu <rich@dtlafamilies.com>, "James Pugh" <JPugh@sheppardmullin.com>, Channing Henry <channing@almadevelopment.com>, Paul Keller <pkeller@mackurban.com>, "Faye Washington" <faye.washington@ywcagla.org>, Terry Rubinroit <rubinroit@aol.com>, Lee Zeidman <lzeidman@staplescenter.com>, Thomas Cho <tcho@mackurban.com>, "Caster, Patrick - CHMC" <Patrick.Caster@DignityHealth.org>, Del Morais <dmorais@mackurban.com>, "May Chen Tham" <mc.tham@ywcagla.org>

This email documents my vote **FOR** moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

Terri Toennies

Executive Vice President & General Manager

**AUTOMOBILITY LA
LOS ANGELES AUTO SHOW**

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2018 Los Angeles Auto Show:

Nov 30- Dec.9

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[automobilityla.com](#) | [laautoshow.com](#)

Subject: Re: 11/1 SPBID BOD - Board Packet
From: "Caster, Patrick - CHMC" <Patrick.Caster@DignityHealth.org>
Date: 11/2/18, 8:25 AM
To: Ellen Riotto

This email documents my vote FOR moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

Patrick Caster

On Nov 2, 2018, at 8:00 AM, Ellen Riotto <ellen@southpark.la> wrote:

Dignityhealth.org made the following annotations

STOP, THINK, READ. This is an external email. Exercise extra caution responding to it, opening attachments and following links.

Hi Board members,

Unfortunately we did not make quorum at yesterday's meeting, so we were unable to vote on our agenda items. Due to the stringency of the Brown Act, conducting this business by phone will be challenging from a logistical standpoint (call-in locations are required to be identified and open to the public 72 hours in advance of the meeting). So, we will have to find a time between now and the end of the year to reconvene and vote. My suggestion is to do it just prior to the annual meeting, December 6th. LA Auto Show is generously hosting the Annual Meeting this year at the Convention Center. The proposed schedule is

4:30 -5:30pm registration and LA Auto Show Floor open
5:30 - 6pm self-serve dinner buffet
6-6:30pm BID report out (guests can eat dinner)
6:30 - 7:40pm breakouts
7:40-8:15pm networking

I propose we convene at 4pm, take the votes, and head into the show floor. Thoughts on this?

In the meantime, there is one agenda item that requires an immediate decision. As you all know, we went out to bid on our clean and safe services for next year and 2020. We received 7 proposals and conducted 5 interviews, and after a rigorous application and interview process, the Selection Committee recommends contracting with Block By Block for both services. Both their application and interview were the most South Park-specific of all proposals we received. Every reference I checked (none of which were included in their proposal) raved about the quality of their work, their customer service experience, and their ability and willingness to try innovative approaches to providing services (we're excited to see a "power washer bicycle" which will allow ambassadors to service those hard-to-reach areas in the district).

I was hoping to be able to provide more context as to how the Selection Committee arrived at this decision in person, but I'm happy to do so individually if you'd like to learn more. If not, please REPLY TO THIS EMAIL using the template below:

This email documents my vote FOR/AGAINST moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

Thank you and please feel free to reach me on my cell - 401-439-8147 - with any questions or comments.

Best,

Ellen

Ellen Riotto
Executive Director
<image001.png>
South Park Business Improvement District
1100 S Flower St, Suite #3400, Los Angeles, CA 90015
ellen@southpark.la | o. 213 663 1112
southpark.la | [Facebook](#) | [Twitter](#) | [Instagram](#)
24/7 DISPATCH: 866-560-9346

From: Ellen Riotto <ellen@southpark.la>
Date: Thursday, November 1, 2018 at 10:05 AM

Subject: Block by Block
From: Robert Buente
Date: 11/2/18, 9:51 AM
To: Ellen Riotto

This email documents my vote FOR moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

*Robert Buente
President/CEO
1010 Development Corporation
1001 South Hope Street
Los Angeles, CA 90015*

213-749-0214 x202

bbuente@1010dev.org

Subject: RE: 11/1 SPBID BOD - Board Packet

From: May Chen Tham

Date: 11/2/18, 9:54 AM

To: Ellen Riotto <ellen@southpark.la>, Robin Bieker <robin@biekerco.com>, Robert Buente <bbuente@1010dev.org>, Daniel Taban <daniel@jadeent.com>, Terri Toennies <terri@laautoshow.com>, Richard Wu <rich@dtlafamilies.com>, James Pugh <JPugh@sheppardmullin.com>, Channing Henry <channing@almadefile.com>, Paul Keller <pkeller@mackurban.com>, "Faye Washington" <Faye.Washington@ywcagla.org>, Terry Rubinroit <rubinroit@aol.com>, Lee Zeidman <lzeidman@staplescenter.com>, Thomas Cho <tcho@mackurban.com>, "Caster, Patrick - CHMC" <Patrick.Caster@DignityHealth.org>, Del Morais <dmorais@mackurban.com>

Hello Ellen,

On behalf of YWCA Greater Los Angeles

This email documents my vote FOR moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

May Chen Tham
Special Projects Manager
YWCA Greater Los Angeles
1020 S. Olive Street, 7th Floor
Los Angeles, CA 90015
Tel: 213-251-1321
Fax: 213-365-9887
Email: mc.tham@ywcagla.org

From: Ellen Riotto [mailto:ellen@southpark.la]

Sent: Friday, November 02, 2018 8:01 AM

To: Robin Bieker; Robert Buente; Daniel Taban; Terri Toennies; Richard Wu; James Pugh; Channing Henry; Paul Keller; Faye Washington; Terry Rubinroit; Lee Zeidman; Thomas Cho; Caster, Patrick - CHMC; Del Morais; May Chen Tham

Subject: Re: 11/1 SPBID BOD - Board Packet

Hi Board members,

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Thank you and please feel free to reach me on my cell - 401-439-8147 - with any questions or comments.

Best,

Ellen

Subject: Re: 11/1 SPBID BOD - Board Packet

From: Richard Clement Wu - DTLA Families

Date: 11/2/18, 9:59 AM

To: Ellen Riotto

CC: "Robin Bieker (robin@biekerco.com)" <robin@biekerco.com>, "Bob Buente (bbuente@1010dev.org)" <bbuente@1010dev.org>, "Daniel Taban (daniel@jadeent.com)" <daniel@jadeent.com>, "Terri Toennies (terri@laautoshow.com)" <terri@laautoshow.com>, rich@dtlafamilies.com, "James Pugh (JPugh@sheppardmullin.com)" <JPugh@sheppardmullin.com>, channing@almadevelopment.com, Paul Keller <pkeller@mackurban.com>, faye.washington@ywcagla.org, rubinroit@aol.com, lzeidman@staplescenter.com, tcho@mackurban.com, Patrick.Caster@dignityhealth.org, dmorais@mackurban.com, mc.tham@ywcagla.org

This email documents my vote FOR moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

Richard Clement Wu
Executive Director
DTLA Families
626.532.7424

On Fri, Nov 2, 2018 at 8:00 AM Ellen Riotto <ellen@southpark.la> wrote:

Hi Board members,

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Best,

Subject: RE: 11/1 SPBID BOD - Board Packet
From: Lee Zeidman
Date: 11/2/18, 10:12 AM
To: Ellen Riotto

I vote for.

Lee Zeidman
President
STAPLES Center/Microsoft Theater and L.A. LIVE
Office: 213-742-7255
FAX: 213-742-7282

From: Ellen Riotto <ellen@southpark.la>
Sent: Friday, November 2, 2018 8:01 AM
To: Robin Bieker <robin@biekerco.com>; Robert Buente <bbuente@1010dev.org>; Daniel Taban <daniel@jadeent.com>; Terri Toennies <terri@laautoshow.com>; Richard Wu <rich@dtlafamilies.com>; James Pugh <JPugh@sheppardmullin.com>; Channing Henry <channing@almadevelopment.com>; Paul Keller <pkeller@mackurban.com>; Faye Washington <faye.washington@ywcagla.org>; Terry Rubinroit <rubinroit@aol.com>; Lee Zeidman <lzeidman@staplescenter.com>; Thomas Cho <tcho@mackurban.com>; Caster, Patrick - CHMC <Patrick.Caster@DignityHealth.org>; Del Morais <dmorais@mackurban.com>; May Chen Tham <mc.tham@ywcagla.org>
Subject: Re: 11/1 SPBID BOD - Board Packet

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Ellen Riotto
Executive Director



South Park Business Improvement District
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ellen@southpark.la | o. 213 663 1112
southpark.la | [Facebook](#) | [Twitter](#) | [Instagram](#)
24/7 DISPATCH: 866-560-9346

Subject: Re: 11/1 SPBID BOD - Board Packet

From: Daniel Taban

Date: 11/2/18, 12:00 PM

To: Ellen Riotto

Ellen,

This email documents my vote FOR moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

Thanks for all your hard work.

Daniel Taban
JADE Enterprises
daniel@jadeent.com | 213-745-5191

On Fri, Nov 2, 2018, 8:00 AM Ellen Riotto <ellen@southpark.la> wrote:

Hi Board members,

Unfortunately we did not make quorum at yesterday's meeting, so we were unable to vote on our agenda items. Due to the stringency of the Brown Act, conducting this business by phone will be challenging from a logistical standpoint (call-in locations are required to be identified and open to the public 72 hours in advance of the meeting). So, we will have to find a time between now and the end of the year to reconvene and vote. My suggestion is to do it just prior to the annual meeting, December 6th. LA Auto Show is generously hosting the Annual Meeting this year at the Convention Center. The proposed schedule is

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This email documents my vote FOR/AGAINST moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

Thank you and please feel free to reach me on my cell - 401-439-8147 - with any questions or comments.

Best,

Ellen

Subject: RE: 11/1 SPBID BOD - Board Packet

From: Robin Bieker

Date: 11/2/18, 12:40 PM

To: 'Ellen Riotto' <ellen@southpark.la>, 'Robert Buente' <bbuente@1010dev.org>, 'Daniel Taban' <daniel@jadeent.com>, 'Terri Toennies' <terri@laautoshow.com>, 'Richard Wu' <rich@dtlafamilies.com>, 'James Pugh' <JPugh@sheppardmullin.com>, 'Channing Henry' <channing@almadevelopment.com>, 'Paul Keller' <pkeller@mackurban.com>, 'Faye Washington' <faye.washington@ywcagla.org>, 'Terry Rubinroit' <rubinroit@aol.com>, 'Lee Zeidman' <lzeidman@staplescenter.com>, 'Thomas Cho' <tcho@mackurban.com>, '"Caster, Patrick - CHMC"' <Patrick.Caster@DignityHealth.org>, 'Del Morais' <dmorais@mackurban.com>, 'May Chen Tham' <mc.tham@ywcagla.org>

Ellen,

This email documents my vote FOR moving forward with contract negotiations with Block by Block for both clean and safe services for 2019 and 2020.

Robin Bieker

From: Ellen Riotto <ellen@southpark.la>

Sent: Friday, November 2, 2018 8:01 AM

To: Robin Bieker <robin@biekerco.com>; Robert Buente <bbuente@1010dev.org>; Daniel Taban <daniel@jadeent.com>; Terri Toennies <terri@laautoshow.com>; Richard Wu <rich@dtlafamilies.com>; James Pugh <JPugh@sheppardmullin.com>; Channing Henry <channing@almadevelopment.com>; Paul Keller <pkeller@mackurban.com>; Faye Washington <faye.washington@ywcagla.org>; Terry Rubinroit <rubinroit@aol.com>; Lee Zeidman <lzeidman@staplescenter.com>; Thomas Cho <tcho@mackurban.com>; Caster, Patrick - CHMC <Patrick.Caster@DignityHealth.org>; Del Morais <dmorais@mackurban.com>; May Chen Tham <mc.tham@ywcagla.org>

Subject: Re: 11/1 SPBID BOD - Board Packet

Hi Board members,

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4:30 -5:30pm registration and LA Auto Show Floor open
5:30 - 6pm self-serve dinner buffet
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6:30 - 7:40pm breakouts
7:40-8:15pm networking

I propose we convene at 4pm, take the votes, and head into the show floor. Thoughts on this?

In the meantime, there is one agenda item that requires an immediate decision. As you all know, we went out to bid on our clean and safe services for next year and 2020. We received 7 proposals and conducted 5 interviews, and after a rigorous application and interview process, the Selection Committee recommends contracting with Block By Block for both services. Both their application and interview were the most South Park-specific of all proposals we received. Every reference I checked (none of which were included in their proposal) raved about the quality of their work, their customer service experience, and their ability and willingness to try innovative approaches to providing services (we're excited to see a "power washer bicycle" which will allow ambassadors to service those hard-to-reach areas in the district).

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Ellen

Ellen Riotto
Executive Director



South Park Business Improvement District
1100 S Flower St, Suite #3400, Los Angeles, CA 90015
ellen@southpark.la | o. 213 663 1111
southpark.la | [Facebook](#) | [Twitter](#) | [Instagram](#)

Subject: Re: 11/1 SPBID BOD - Board Packet

From: Channing Henry

Date: 11/2/18, 3:22 PM

To: Ellen Riotto

CC: Robert Buente <bbuente@1010dev.org>, Daniel Taban <daniel@jadeent.com>, Terri Toennies <terri@laautoshow.com>, Richard Wu <rich@dtlafamilies.com>, James Pugh <JPugh@sheppardmullin.com>, Paul Keller <pkeller@mackurban.com>, Faye Washington <faye.washington@ywcagla.org>, Terry Rubinroit <rubinroit@aol.com>, Lee Zeidman <lzeidman@staplescenter.com>, Thomas Cho <tcho@mackurban.com>, "Caster, Patrick - CHMC" <Patrick.Caster@DignityHealth.org>, Del Morais <dmorais@mackurban.com>, May Chen Tham <mc.tham@ywcagla.org>, Robin Bieker <robin@biekerco.com>

Hi Ellen,

This email documents my vote FOR moving forward with contract negotiations with Block By Block for both clean and safe services for 2019 and 2020.

I am also available on December 6 at 4 pm.

Channing Elise Henry
Alma Development and Advisory
channing@almadevelopment.com
917-270-3140

On Nov 2, 2018, at 12:40 PM, Robin Bieker <robin@biekerco.com> wrote:

Ellen,

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Robin Bieker

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Sent: Friday, November 2, 2018 8:01 AM

To: Robin Bieker <robin@biekerco.com>; Robert Buente <bbuente@1010dev.org>; Daniel Taban <daniel@jadeent.com>; Terri Toennies <terri@laautoshow.com>; Richard Wu <rich@dtlafamilies.com>; James Pugh <JPugh@sheppardmullin.com>; Channing Henry <channing@almadevelopment.com>; Paul Keller <pkeller@mackurban.com>; Faye Washington <faye.washington@ywcagla.org>; Terry Rubinroit <rubinroit@aol.com>; Lee Zeidman <lzeidman@staplescenter.com>; Thomas Cho <tcho@mackurban.com>; Caster, Patrick - CHMC <Patrick.Caster@DignityHealth.org>; Del Morais <dmorais@mackurban.com>; May Chen Tham <mc.tham@ywcagla.org>

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I was hoping to be able to provide more context as to how the Selection Committee arrived at this

Subject: Block by Block
From: Paul Keller
Date: 11/5/18, 4:43 PM
To: Ellen Riotto

I vote in favor of the award and agreement.

Paul Keller

MACK | REAL ESTATE GROUP

1150 S. Olive, Suite 2250

Los Angeles, CA 90015

213 437 0479 telephone

213 675 4475 cell

pkeller@mackregroup.com

60 Columbus Circle, 20th Floor

New York, New York 10023

212 484 0050 telephone

1008 Western Avenue, Suite 201

Seattle, WA 98104

206 876 3784 telephone

213 675 4475 cell

5.2 Article X, Section 1 of the SPSG Bylaws

- a. Have charge and custody of, and be responsible for, all funds and securities of the Corporation, and deposit all such funds in the name of the Corporation in such banks, trust companies, or other depositories as shall be selected by the Board.
- b. Receive, and give receipt for, monies due and payable to the Corporation from any source whatsoever. Disburse, or cause to be disbursed, the funds of the Corporation as may be directed by the Board, taking proper vouchers for such disbursements.
- c. Keep and maintain adequate and correct accounts of the Corporation's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains and losses.
- d. Render to the President and Directors, whenever requested, an account of any or all of his or her transactions as Treasurer and of the financial condition of the Corporation.
- e. Prepare, or cause to be prepared, and certify, or cause to be certified, the financial statements to be included in any required reports.
- f. In general, perform all duties incident to the office of Treasurer and such other duties as may be required by law, by the Articles of Incorporation of the Corporation, or by these Bylaws, or which may be assigned to him or her from time to time by the Board.

ARTICLE X

COMMITTEES

Section 1: Executive/Organization Committee. The Board may, by a majority vote of Directors, designate two (2) or more of its members (who may also be serving as officers of the Corporation) to constitute an Executive/Organization Committee and delegate to such Committee any of the powers and authority of the Board in the management of the business and affairs of the Corporation, except *with respect to:*

- a. The approval of any action which, under law or the provisions of these Bylaws, requires the approval of the members or of a majority of all of the members.
- b. The filling of vacancies on the Board or on any committee which has the authority of the Board.
- c. The amendment or repeal of Bylaws or the adoption of new Bylaws.

- d. The amendment or repeal or any resolution of the Board which by its express terms is not so amendable or repealable.
- e. The appointment of committees of the Board or the members thereof.
- f. The approval of any transaction between the Corporation and one or more of its Directors in which the Director or Directors have a material financial interest, except as provided by Section 5233 of the Code.

The powers and authority delegated to the Executive/Organization Committee shall include the authority to designate a person or persons as authorized to speak publicly on behalf of the Board.

By a majority vote of the Directors then in office, the Board may at any time revoke or modify any or all of the authority so delegated, increase or decrease but not below two (2) the number of members of a Committee, and fill vacancies therein from the members of the Board. The Committee may keep regular minutes of its proceedings, cause them to be filed with the corporate records, and report the same to the Board from time to time as the Board may require.

Section 2: Other Committees and Task Forces. The Corporation shall have such other committees and task forces as may from time to time be designated by resolution of the Board. Such other committees and task forces may consist of persons who are not members of the Board. The Board shall elect the Chair(s) of such committees and task forces. These additional committees and task forces *shall act in an advisory capacity only to the Board* and shall be clearly titled as "advisory" committees.

Section 3: Meetings and Action of Committees. Meetings and actions of all committees shall be governed by, and held and taken in accordance with, the provisions of Sections 5 through 12 of Article V above, concerning meetings and actions of Directors, with such changes in the context of those Bylaws as are necessary to substitute the committee and its members for the Board and its members, except that the time for regular meetings of committees may be determined either by resolution of the Board or by resolution of the committee. Special meetings of committees may also be called by resolution of the Board. Notice of special meetings of committees shall also be given to any and all alternate members, who shall have the right to attend all meetings of the committee. Minutes shall be kept of each meeting of any committee and shall be filed with the corporate records. The Board may adopt rules not inconsistent with the provisions of these Bylaws for the governance of any committee.

Section 4: Audit Committee. If the Corporation (i) is required to file reports with the California Attorney General pursuant to Section 12586 of the California Government Code and (ii) receives or accrues in any fiscal year gross revenue of two million dollars (\$2,000,000) or more, exclusive of grants from, and contracts for services

5.3 iCal file for August 2, 2018 meeting of the EC

Subject: Accepted: Executive Committee Meeting @ Thu Aug 2, 2018 2:45pm - 4:15pm (PDT) (Ellen Riotto)
From: daniel@jadeent.com
Date: 7/30/18, 3:42 PM
To: Ellen Riotto

daniel@jadeent.com has accepted this invitation.

Executive Committee Meeting

When Thu Aug 2, 2018 2:45pm – 4:15pm Pacific Time - Los Angeles
Where PRANK ([map](#))
Calendar Ellen Riotto
Who

- Ellen Riotto - organizer
- daniel@jadeent.com - creator
- Bob Buente
- Robin Bieker
- channing@almadevelopment.com

Invitation from [Google Calendar](#)

You are receiving this courtesy email at the account ellen@southpark.la because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at <https://www.google.com/calendar/> and control your notification settings for your entire calendar.

Forwarding this invitation could allow any recipient to modify your RSVP response. [Learn More](#).

5.4 EC Discussion of a raise for Wallis Locke on April 30, 2018

Subject: Raise for Wallis

From: Ellen Riotto

Date: 4/30/18, 1:26 PM

To: Robin Bieker <robin@biekerco.com>, Daniel Taban <daniel@jadeent.com>, Robert Buente <bbuente@1010dev.org>, Channing Henry <channing@almadevelopment.com>

All,

As you know, Wallis had a somewhat rocky start at the BID. We extended her Introduction period by 1 month, and at her 12 month mark, her performance did not warrant a raise, as is customary at an employee's anniversary. Having said all that, she's really come a long way. After our somewhat difficult annual review back in November, she stepped up her game in ways that I frankly didn't think she was capable of. Since then, she's been much more proactive about her work products, infused a new kind of creativity into projects, and is generally more enthusiastic and positive, which goes a long way in terms of culture in the office. To that end, as May 10th marks her 1.5 year anniversary at the BID, I'd like to give Wallis a 5% raise, bringing her salary up to \$68,250 (most annual raises are between 3 and 4%, but per our conversation regarding the BID's history of underpaying employees, my recommendation is that we use this as an opportunity to establish a new status quo).

Thoughts on this?

Thanks,

Ellen

Ellen Riotto
Executive Director

South Park Business Improvement District
1100 S Flower St, Suite #3400, Los Angeles, CA 90015
ellen@southpark.la | o. 213 663 1112
southpark.la | [Facebook](#) | [Twitter](#) | [Instagram](#)
24/7 DISPATCH: 866-560-9346

image001.png

Subject: RE: Raise for Wallis

From: Robert Buente

Date: 4/30/18, 1:28 PM

To: Ellen Riotto <ellen@southpark.la>, Robin Bieker <robin@biekerco.com>, Daniel Taban <daniel@jadeent.com>, Channing Henry <channing@almadeflavor.com>

Ellen:

Agree

Bob

*Robert Buente
President/CEO
1010 Development Corporation
1001 South Hope Street
Los Angeles, CA 90015*

213-749-0214 x202

bbuente@1010dev.org

From: Ellen Riotto <ellen@southpark.la>

Sent: Monday, April 30, 2018 1:27 PM

To: Robin Bieker <robin@biekerco.com>; Daniel Taban <daniel@jadeent.com>; Robert Buente <bbuente@1010dev.org>; Channing Henry <channing@almadeflavor.com>

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Subject: RE: Raise for Wallis

From: Daniel Taban

Date: 4/30/18, 1:37 PM

To: Robert Buente <bbuente@1010dev.org>, Ellen Riotto <ellen@southpark.la>, Robin Bieker <robin@biekerco.com>, Channing Henry <channing@almadevelopment.com>

If you feel she is deserving, then ok with the raise. Is her next potential raise in 6 months or 12?

Daniel Taban

JADE Enterprises, LLC

t 213.745.5191 | daniel@jadeent.com

From: Robert Buente [mailto:bbuente@1010dev.org]

Sent: Monday, April 30, 2018 1:29 PM

To: Ellen Riotto <ellen@southpark.la>; Robin Bieker <robin@biekerco.com>; Daniel Taban <daniel@jadeent.com>; Channing Henry <channing@almadevelopment.com>

Subject: RE: Raise for Wallis

Ellen:

Agree

Bob

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image001.png



Subject: Re: Raise for Wallis

From: Ellen Riotto

Date: 4/30/18, 2:22 PM

To: Daniel Taban <daniel@jadeent.com>, Robert Buente <bbuente@1010dev.org>, Robin Bieker <robin@biekerco.com>, Channing Henry <channing@almadevelopment.com>

6 months. I her to be in sync with her start-date as much as possible. I'm thinking her next raise can be a smaller increment - up to \$70 which would be ~\$7.5% increase over a 2 year period.

From: Daniel Taban <daniel@jadeent.com>

Date: Monday, April 30, 2018 at 1:37 PM

To: Robert Buente <bbuente@1010dev.org>, Ellen Riotto <ellen@southpark.la>, Robin Bieker <robin@biekerco.com>, Channing Henry <channing@almadevelopment.com>

Subject: RE: Raise for Wallis

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Thoughts on this?

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Subject: RE: Raise for Wallis

From: Robert Buente

Date: 4/30/18, 2:30 PM

To: Ellen Riotto <ellen@southpark.la>, Daniel Taban <daniel@jadeent.com>, Robin Bieker <robin@biekerco.com>, Channing Henry <channing@almadevelopment.com>

That's a fair raise based on annual percent

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Subject: RE: Raise for Wallis

From: Robin Bieker

Date: 4/30/18, 4:55 PM

To: 'Daniel Taban' <daniel@jadeent.com>, 'Robert Buente' <bbuente@1010dev.org>, 'Ellen Riotto' <ellen@southpark.la>, 'Channing Henry' <channing@almadeforward.com>

I agree with the raise.

From: Daniel Taban [mailto:daniel@jadeent.com]

Sent: Monday, April 30, 2018 1:38 PM

To: Robert Buente; Ellen Riotto; Robin Bieker; Channing Henry

Subject: RE: Raise for Wallis

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Agree

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From: Ellen Riotto <ellen@southpark.la>

Sent: Monday, April 30, 2018 1:27 PM

To: Robin Bieker <robin@biekerco.com>; Daniel Taban <daniel@jadeent.com>; Robert Buente <bbuente@1010dev.org>; Channing Henry <channing@almadeforward.com>

Subject: Raise for Wallis

All,

As you know, Wallis had a somewhat rocky start at the BID. We extended her Introduction period by 1 month, and at her 12 month mark, her performance did not warrant a raise, as is customary at an employee's anniversary. Having said all that, she's really come a long way. After our somewhat difficult annual review back in November, she stepped up her game in ways that I frankly didn't think she was capable of. Since then, she's been much more proactive about her work products, infused a new kind of creativity into projects, and is generally more enthusiastic and positive, which goes a long way in terms of culture in the office. To that end, as May 10th marks her 1.5 year anniversary at the BID, I'd like to give Wallis a 5% raise, bringing her salary up to \$68,250 (most annual raises are between 3 and 4%, but per our conversation regarding the BID's history of underpaying employees, my recommendation is that we use this as an opportunity to establish a new status quo).

Thoughts on this?

Thanks,

Ellen

Ellen Riotto
Executive Director



South Park Business Improvement District
1100 S Flower St, Suite #3400, Los Angeles, CA 90015
ellen@southpark.la | o. 213 663 1112
[southpark.la](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)
24/7 DISPATCH: 866-560-9346

Subject: Re: Raise for Wallis

From: Channing Henry

Date: 4/30/18, 5:05 PM

To: Robin Bieker

CC: Daniel Taban <daniel@jadeent.com>, Robert Buente <bbuente@1010dev.org>, Ellen Riotto

<ellen@southpark.la>

Sounds deserved to me. She is a good addition to the team, and I think you should have the tools you need to keep people happy and productive. You're doing an excellent job managing everyone, Ellen. Let's discuss the rent and location situation at the next meeting. Unfortunate to have so few good options.

Channing Elise Henry
Alma Development and Advisory
channing@almadevelopment.com
917-270-3140

On Apr 30, 2018, at 4:55 PM, Robin Bieker <robin@biekerco.com> wrote:

I agree with the raise.

From: Daniel Taban [<mailto:daniel@jadeent.com>]
Sent: Monday, April 30, 2018 1:38 PM
To: Robert Buente; Ellen Riotto; Robin Bieker; Channing Henry
Subject: RE: Raise for Wallis

If you feel she is deserving, then ok with the raise. Is her next potential raise in 6 months or 12?

Daniel Taban
JADE Enterprises, LLC
t 213.745.5191 | daniel@jadeent.com

From: Robert Buente [bbuente@1010dev.org]
Sent: Monday, April 30, 2018 1:29 PM
To: Ellen Riotto <ellen@southpark.la>; Robin Bieker <robin@biekerco.com>; Daniel Taban <daniel@jadeent.com>; Channing Henry <channing@almadevelopment.com>
Subject: RE: Raise for Wallis

Ellen:

Agree

Bob

Robert Buente
President/CEO
1010 Development Corporation
1001 South Hope Street
Los Angeles, CA 90015

213-749-0214 x202

bbuente@1010dev.org

From: Ellen Riotto <ellen@southpark.la>
Sent: Monday, April 30, 2018 1:27 PM
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5.5 August 9, 2018 email from Ellen Riotto about EC change to PTO policy

Subject: Revised PTO

From: Ellen Riotto

Date: 8/9/18, 12:50 PM

To: Josh Kreger <josh@southpark.la>, Wallis Locke <wallis@southpark.la>, "Lulu Woldemariam" <lulu@southpark.la>

All,

Executive Committee has approved the following proposed changes to staff PTO, effective immediately (but not retroactively):

	Length of Employment	Hours per year	Days per year	Accrual rate per pay period	Less required sick days (6)
CURRENT	1-2 years	112	14	4.31	8
	3 years	120	15	4.62	9
	4 years	128	16	4.92	10
	5 years	136	17	5.23	11
	6 years	144	18	5.54	12
	7 years	152	19	5.85	13
PROPOSED	1 year	128	16	4.92	10
	2 years	136	17	5.23	11
	3 years	144	18	5.54	12
	4 years	152	19	5.85	13
	5 years	160	20	6.15	14
	6 years	168	21	6.46	15
	7 years	176	22	6.77	16

I will be updating our Employee Manuals and will ask you to sign new copies. Please let me know if you have questions.

Best,

Ellen

Ellen Riotto
Executive Director


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